

AN ORDINANCE BY:  
COUNCILMEMBER JIM MADDOX

08-0 -1450 08-56

**AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY REZONING CERTAIN PROPERTIES FROM R-3 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, AND FOR OTHER PURPOSES.**

**WHEREAS**, an application for a subdivision for the creation of single family lots was submitted to the Bureau of Planning on October 21, 2004; and.

**WHEREAS**, and the site plan included in the application depicted properties zoned as R-4 and R-3; and

**WHEREAS**, the application was reviewed by the impacted Neighborhood Planning Unit, Subdivision Technical Review Committee and subsequently approved for a preliminary plat on August 16, 2005 and revised on March 2, 2007 and the final plat (Phase I) on July 24, 2007; and

**WHEREAS**, the Bureau of Buildings has issued permits to construct single family homes on several of the approved lots and there are several lots pending issuance of a Certificate of Occupancy; and

**WHEREAS**, the Bureau of Buildings has recently identified that there was a discrepancy in the boundaries of the zoning districts and permits can not be issued for lots previously approved; and

**WHEREAS**, the Bureau of Planning has confirmed the correct boundaries of the zoning districts based on the Geographic Information System (GIS); and

**WHEREAS**, a rezoning of the subject property will be required in order to enable the processing of the building permits of the lots as reflected on the approved subdivision final plats.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

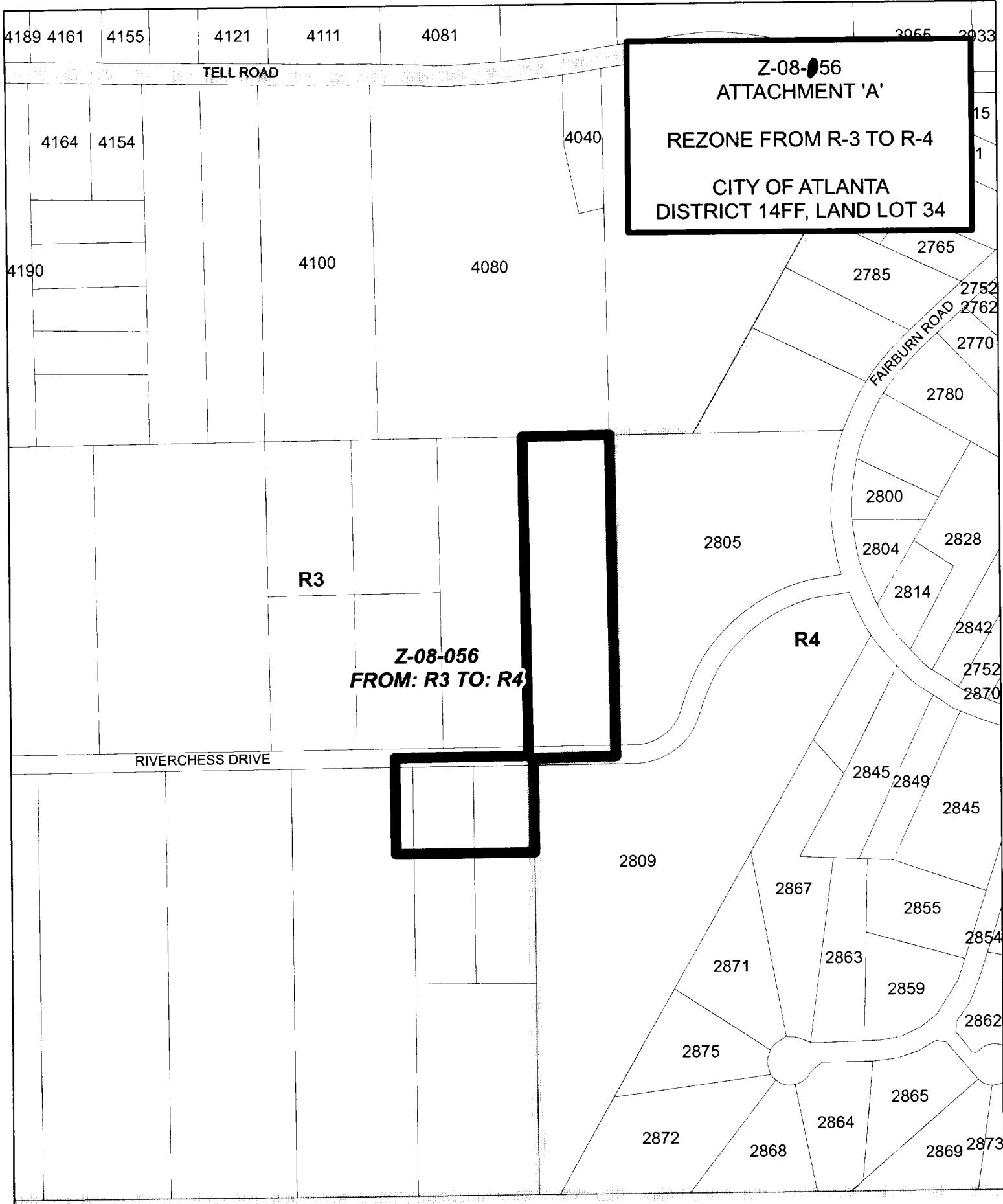
**SECTION 1.** That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the property identified on Attachment A be rezoned from R-3 (Single family Residential) District to the R-4 (Single-family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 34, 14<sup>th</sup> ff District, Fulton County, Georgia, being more particularly described by the attached survey/map.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



PDH

1 inch equals 300 feet

